

**MINUTES OF A PUBLIC HEARING AND A REGULAR
MEETING OF THE COMMON COUNCIL OF THE
CITY OF JASPER, INDIANA
APRIL 21, 2010**

A public hearing was held on Wednesday, April 21, 2010, in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor William J. Schmitt called the public hearing to order at 6:40 p.m.

Roll Call.

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the council members must be in attendance. All seven members were in attendance; therefore, there was a quorum for the hearing.

Pledge. Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

Purpose. Mayor Schmitt said the purpose of the public hearing concerns amendments to the text of the Subdivision Control Ordinance of the City of Jasper concerning changes to the Design Standards and Specifications Manual and to the Minimum Pavement Width.

A Notice concerning the hearing appeared in the Herald on April 10, 2010. The Notice was also posted at City Hall and faxed to the news media.

Mayor Schmitt made the following statement: With respect to tonight's public hearing, we are hereby incorporating by reference into the record of this public hearing, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance and Subdivision Control Ordinance and Flood District and Flood Damage Prevention" and any and all Amendments thereto.

City Engineer Chad Hurm said the original version of the Design Standards and Specifications Manual was adopted by the Council on June 20, 2007. He then presented the proposed changes to the text portion of the document.

Hurm also explained an amendment that was added to the Minimum Pavement Width section of the ordinance. The language added was: In a residential zone, if approved by the Board of Public Works and Safety prior to the final approval of the Jasper City Plan Commission, the minimum pavement width may be thirty-two feet with a five foot sidewalk on one side on a Local Street with “No Parking” on one side.

Hurm then began showing the proposed changes to the drawing portion of the Design Standards.

COMMON COUNCIL MEETING CALLED TO ORDER

Since the regular meeting was scheduled to begin at 7:00 p.m., Presiding Officer Mayor Schmitt halted the public hearing at 7:00 p.m. long enough to call the regular meeting of the common council to order and have the clerk-treasurer call the roll.

Roll Call.

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose ‘Butch’ Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven members were in attendance; therefore, there was a quorum for the meeting.

PUBLIC HEARING RESUMES

Mayor Schmitt then continued with the public hearing.

City Engineer Hurm continued showing the proposed changes to the drawing portion of the design standards.

Mayor Schmitt said these standards are for new developments. When the City develops a new area, we follow the standards. Whenever we replace something we make it better and do the best we can and we follow the standards whenever we can when we upgrade.

Mayor Schmitt then asked if there were any public comments. No comments were received.

Thereafter a **motion** was made by Council member Ambrose ‘Butch’ Schitter and seconded by Council member Thomas Schmidt to close the public hearing. The motion carried 7-0 and the hearing closed at 7:14 p.m.

COUNCIL MEETING RESUMES

At 7:14 p.m. Mayor Schmitt said the regular council meeting that was called to order at 7:00 p.m. will resume. The meeting was delayed due to the length of the 6:40 p.m. public hearing.

Approval of the minutes

The following minutes were distributed to and examined by the Council:

1. March 17, 2010 regular Common Council meeting
2. March 17, 2010 6:50 p.m. public hearing concerning the petition of Allan R. and Judith K. Holweger to vacate a public utility and drainage easement in Brentwood Subdivision Phase I

A **motion** was made by Council member Ambrose ‘Butch’ Schitter and seconded by Council member Randy Buchta to approve the minutes as published. Motion carried 7-0.

Utility Service Board. General Manager of Utilities Gerald ‘Bud’ Hauersperger gave a report on the regular monthly Utility Service Board meeting held on April 19, 2010. Copies of the minutes are supplied to each member.

Jasper Community Arts Commission. JCAC President Michael Jones said he wanted to report to the Council since they are the Board that appointed him to serve as a member of the JCAC. He said they provide a service at the Arts Center. He reminded the Council that we still need to grow the building. The JCAC understands there are financial restraints but at some point there needs to be a building expansion.

Jones also said the JCAC will hold a special meeting at noon on Friday at the arts center to discuss whether or not to remain a regional partner for the IAC.

Subdivision Control Ordinance Amendment/Ordinance No. 2010-6.

Mayor Schmitt said the council needs to consider the City of Jasper’s proposal to amend the text in the Subdivision Control Ordinance concerning changes to the Design Standards and Specifications Manual and to the Minimum Pavement Width by choosing one of the following options:

1. Accept the proposal as certified by the Plan Commission to amend the text and thereby adopt Ordinance No. 2010-6.
2. Reject the proposal to amend the text

Note: If the proposal is rejected, it, along with written reasons for the rejection, is returned to the Plan Commission for its consideration.

3. Amend the proposal and adopt the ordinance as follows: _____.

Note: If the proposal is amended, the proposal with written reasons for the amendments is forwarded to the Plan Commission for its consideration. The ordinance will be referenced Ordinance No. 2010-6

4. If the Council fails to act on the proposal within 90 days from certification from the Plan Commission, the proposal is considered adopted as certified.

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Kevin Manley to accept the proposal as certified by the Plan Commission to amend the text and thereby adopt Ordinance No. 2010-6. Motion carried 7-0.

ORDINANCE NO. 2010-7 AN ORDINANCE SETTING FORTH WASTEWATER PRETREATMENT REQUIREMENTS FOR USERS OF THE CITY OF JASPER'S WASTEWATER TREATMENT WORKS

This ordinance updates the City's Wastewater Pretreatment Ordinance in order to include the changes made by the Environmental Protection Agency to its Wastewater Pretreatment requirements.

A motion was made by Council member Thomas Schmidt, seconded by Council member David Prechtel and approved 7-0 to consider the ordinance for one reading only. Thereafter, a motion was made by Council member John Schroeder, seconded by Council member Randy Buchta and approved 7-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Council member Ray Howard and seconded by Ambrose 'Butch' Schitter to pass and adopt Ordinance No. 2010-7. Motion carried 7-0.

Under discussion City Attorney Sandra Hemmerlein said the ordinance update was recommended by the Utility Service Board. The ordinance incorporates changes made by the EPA.

Comprehensive Plan update. Council member David Prechtel said work on the Comprehensive Plan is moving forward. They had a steering committee meeting on March 31, 2010 and next Wednesday there will be another steering committee meeting. The next public meeting is scheduled for May 11, 2010. Prechtel said for information one can look at Ratio Architects' website at www.communitycollaborate.com.

ADJOURNMENT. There being no further business to come before the Council, a motion was made by Council member Thomas Schmidt and seconded by Council member Randy Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:02 p.m.

The minutes were hereby approved ____ with X without corrections or clarification this 11th day of May, 2010.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary